



U.S. Department of Justice

United States Attorney  
Eastern District of New York

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May 4, 2006

Via Electronic Filing

Courtesy Copy Via Interoffice Mail

Honorable Raymond J. Dearie  
United States District Judge  
225 Cadman Plaza East  
Brooklyn, New York 11201

**FILED**

IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAY 12 2006 ★

**BROOKLYN OFFICE**

5/10/06

*Opposition, if any,  
must be filed by  
5/22/06.*

s/Raymond Dearie

Re: United States v. Real Property and Premises Known as  
28-30 215<sup>th</sup> Street,  
Civil Action No. CV-01-2478 (Dearie, J.) (Pohorelsky,  
M.J.)

Dear Judge Dearie:

The United States respectfully requests that the Court enter the enclosed Amended Final Partial Decree of Forfeiture for the above-referenced matter. The Decree orders that \$483,186.39, ("the subject funds") be forfeited to the United States, and strikes the answer and statement of interest of potential claimant Fleet National Bank ("Fleet"). As set forth below, the premises known as 28-30 215th Street, Bayside, New York ("the subject premises") was forfeited to the United States pursuant to a Stipulation, Release and Final Partial Decree of Forfeiture ("the Final Decree") in July 2002. Several months later, Fleet filed an answer and a statement of interest in the subject premises. In December 2003, the United States sold the subject premises and deposited the subject funds, representing the net proceeds of the sale, with the United States Marshals Service pending further order from the Court regarding Fleet's potential claim to the subject premises. Fleet has taken no action to prosecute its claim since that time. Therefore, and because Fleet lacks standing to assert any interest in the subject premises, the United States respectfully requests that the enclosed Decree be entered and the subject funds forfeited to the United States.